

KOERNER & OLENDER, P.C.

Attorneys at Law
5809 Nicholson Lane, Suite 124
North Bethesda, Maryland 20852-5706

Tel. (301) 468-3336
Fax (301) 468-3343

Robert L. Olender *
James A. Koerner

*not admitted in MD

May 30, 2000

RECEIVED
MAY 30 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Of Counsel
Robert Bennett Lubic*

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Request for Review under
FCC Docket Nos. 97-211 and 96-45

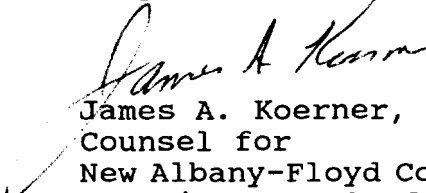
Dear Ms. Salas:

On behalf of New Albany-Floyd County Consolidated School Corporation, there are transmitted herewith an original and four (4) copies of a Request for Review, seeking de novo review by the Common Carrier Bureau of a Decision by the Universal Service Administrator to deny funding.

This Request for Review is timely, since the Decision of the Universal Service Administrator is dated May 3, 2000.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,


James A. Koerner,
Counsel for
New Albany-Floyd County Consol-
idated School Corporation

cc: Mr. Roger Whaley

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**Before the
Federal Communications Commission
Washington, DC 20554**

RECEIVED
MAY 3 0 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Request for Review of)

NEW ALBANY-FLOYD COUNTY
CONSOLIDATED SCHOOL CORP.)

Of Decision of Universal Service Administrator)
Under FCC Docket Nos. 97-21 and 96-45)

Billed Entity Number: I30549

Application Number: I33549

Funding Request Number: I98468

To: Common Carrier Bureau

REQUEST FOR REVIEW

The New Albany-Floyd County Consolidated School Corporation, pursuant to the procedures adopted in Section 54.721 of the Rules (47 C.F.R. Section 54.721), hereby seeks review of the Decision, dated May 3, 2000, of the Universal Service Administrator denying the above-referenced application. In accordance with the requirements of the Rules, the following is submitted:

1. On January 19, 1999, this school corporation filed Form 470 - Description of Services Requested and Certification Form for several projects associated with our Wide Area Network. These services are being provided to this school corporation under one or more existing, binding contracts from Year One of the program. Following the mandated twenty-eight (28) day minimum waiting period, we submitted Form 471 - Services Ordered and Certification Form on March 12, 1999.

2. On August 17, 1999, the Schools and Libraries Division of USAC released our Funding Commitment Report in which FRN I98468 was denied as being an ineligible service based on program rules. On August 26, 1999, this school corporation appealed the decision of the Fund Administrator, and on May 3, 2000, the Administrator denied this FRN after a review of our appeal. Attached as Exhibit I is a copy of the Administrator's Decision on Appeal.

3. The Wide Area Network services provided to this school corporation are a part of a telecommunications package composed of leased services and leased equipment from an approved provider designed for Internet access in keeping with the defined Priority One services of the Federal Communications Commission.

4. The petitioner asserts that:

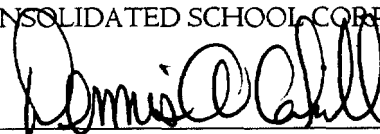
- The Fund Administrator of the Schools and Libraries Division has improperly interpreted program regulations and has acted in an arbitrary and capricious manner by denying leased services from an approved telecommunications provider in opposition to FCC Final Rules.
- Contrary to the decision of the Fund Administrator, the services requested in FRN 198468 are approved services. They are specifically cited in Appendix I - Final Rules/Ammendments to the Code of Federal Regulations (paragraph 54.502 - Supported Services) This paragraph states, "For the purposes of this subpart, supported services provided by telecommunications carriers included all commercially available telecommunications services."
- Monitoring services meet the criteria established in 54.502 of the Final Rules. Monitoring is a standard service of this telecommunications provider and the service is readily available to any commercial customer. Attached as Exhibit 2 is a statement from Ameritech describing their monitoring service.

5. The Petitioner seeks the following relief:

- De novo review of the petitioner's application for funding as specified in 47 C.F.R., section 54.723.
- Reverse the Administrator's Decision, and direct that the referenced application be fully funded for the period from July 1, 1999 to June 30, 2000, and direct that future applications for this service be approved and funded.

Respectfully submitted,

NEW ALBANY-FLOYD COUNTY
CONSOLIDATED SCHOOL CORPORATION

By: 

Dennis A. Cahill, Superintendent

Date: 5-19-00

New Albany-Floyd County Consolidated School Corporation
% Roger E. Whaley, Director of Technology
2813 Grant Line Road
New Albany, IN 47150
Voice: 812/949-4229
Fax: 812/949-4231

New Albany-Floyd County
Consolidated School Corporation
P.O. Box 1087; 618 East Market Street
New Albany, IN 47151-1087

Certificate of Service

I, ___Carol Riggins___, a secretary for the New Albany-Floyd County Consolidated School Corporation, do hereby certify that a copy of the forgoing **Request for Review** was served this nineteenth day of May, 2000, via first class mail, postage paid upon the following:

Fund Administrator - Schools and Libraries Division
Universal Service Administrative Company
Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981


Carol Riggins



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

SCHOOLS AND LIBRARIES DIVISION

Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Appeal - Funding Year 1999-2000

May 3, 2000

Roger E. Whaley
New Albany-Floyd Consolidated School Corp.
PO Box 1087
New Albany, IN 47151

Re: Billed Entity Number: 130549
 Application Number: 133549
 Funding Request Number(s): 198468
 Your Correspondence Dated: August 26, 1999

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal seeking approval of additional discounts for the second program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the Application Number cited above. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number.

Funding Request Number: 198468
Decision on Appeal: Denied in full

Denial Reason(s):

- Your funding request included more than 30% ineligible services, which resulted in the denial of the entire amount of the FRN under program rules. The request included Network Monitoring, which is ineligible under the universal services program. Network management, monitoring and troubleshooting of the leased facility is not eligible for discount.

If you feel further examination of your application is in order; you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12TH Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the SLD Web Site at <www.sl.universalservice.org>. You must file your appeal

with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

You should now move ahead, if you haven't already done so, with your Form 486 and related post-commitment arrangements for services for which funds have been committed and services have begun to flow. We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



AMERITECH'S MONITORING SYSTEM

Ameritech believes the quality of our network and the quality of our service are the primary reasons our customers purchase their dedicated communications services from Ameritech. For this reason, Ameritech has always had a focus on quality and we strive to improve our quality every day.

Ameritech has deployed a network monitoring system region wide to monitor intelligent network elements for performance threshold crossing and alarm conditions. This monitoring system is running 24 hours a day 365 days a year to detect failure conditions before our customers experience a problem. This monitoring system has the ability to automatically create trouble tickets, which are passed along to the appropriate center for manual handling. The centers are designed to handle services offered to our customers and internal network and equipment problems. The appropriate center receives the trouble based upon the type of problem encountered in the network and has the tools and resources to repair the source of the problem. Some problems may be repaired directly from the center while others may require a dispatch of a field technician to repair the problem.

Customers may also detect a problem with their circuits. When the customer does find a problem with their circuit, they call a single point of contact within Ameritech to report the trouble. Ameritech will then assign the trouble to one of the personnel in the appropriate center. This center technician has a number of systems available to him including remote test access and design information for use in isolating the source of the problem. Once again, the problem may be repaired directly from the center while others may require a dispatch of a field technician to repair the problem.

**AMERITECH MANAGED ROUTER SERVICE FOR
AMERITECH FRAME RELAY, SMDS AND ATM PRODUCT PROFILE**

AMERITECH MANAGED ROUTER SERVICE

*Stephanie R. Guthrie
Product Manager
312-425-1131*

DESCRIPTION

IS Managers have made it clear that their priorities have changed. No longer are they in the business of reengineering systems and applications - instead they are being asked to use information to provide their company with a competitive advantage.

Thus, corporate networks are becoming more complex, costly, and mission-critical. These diverse networks have become an albatross around the IS Managers neck. Daily additions of new protocols, users, and even new network technologies have required the IS Manager to have an army of employees to manage it – putting the IS Manager in a risky position.

Ameritech can reduce complexity, eliminate capital investment risks, better focus IS staff and provide the reliable network necessary to let customers get back to doing business.

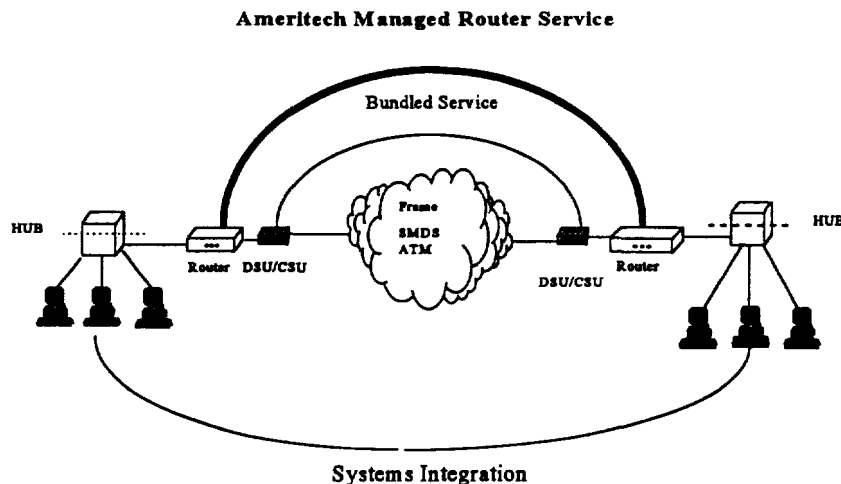
Ameritech can do it with Ameritech Managed Router Service. Ameritech Managed Router Service (AMRS) offers a comprehensive fast-packet network solution which includes network design, hardware, router (or FRAD) software configuration, real-time monitoring and maintenance for an ultimate Lan to Lan solution. This product offering leverages Ameritech's skill in designing and managing complex fast-packet networks and customer premise equipment (CPE), and allows the customer to focus on core business objectives.

As a single point of contact, Ameritech will minimize the customers' time involved in getting a network up and running, and simplify ongoing management of the network. AMRS eliminates the finger pointing that can occur in multi-vendor networks. As the single source for maintenance, management and monitoring of the customer router as well as the Frame Relay, SMDS or ATM network, Ameritech assumes full responsibility for network operations.

Ameritech also works with our customers to assure easy migration from private line to any fast packet service or from frame relay to ATM and eliminates the customers' risk of equipment obsolescence.

AMERITECH MANAGED ROUTER SERVICE FOR AMERITECH FRAME RELAY, SMDS AND ATM PRODUCT PROFILE

Most importantly, Ameritech Managed Router Service is offered for a fixed monthly price which minimizes the capital investment risk and staff required to build and maintain a wide-area network.



Ameritech Managed Router Service is offered with Ameritech fast-packet services: Frame Relay, Switched Multi-megabit Data Service (SMDS) and Asynchronous Transfer Mode (ATM)

The service is comprised of:

- ⇒ A network of routers (Bay Networks, Cisco) and/or Frame Relay Access Devices, (FRADs), including CSU/DSUs and wiring concentrators that are Ameritech-provided
- ⇒ Ameritech provided access circuits and software defined paths linking all elements of the network
- ⇒ Ameritech designed router network including addressing, routing protocol, filtering and traffic prioritization

**AMERITECH MANAGED ROUTER SERVICE FOR
AMERITECH FRAME RELAY, SMDS AND ATM PRODUCT PROFILE**

- ⇒ **Installation Guarantee** - Ameritech guarantees on-time delivery of Ameritech Frame Relay, Ameritech SMDS and Ameritech ATM or we'll refund a prorated portion of the installation charges
- ⇒ **Ongoing Router Software Management**, including changes in addresses, protocols, filtering and traffic prioritization which usually can be completed within 3 business days. Software upgrades are provided for bug fixes. Several LAN protocols are supported including IP, Novell IPX, Appletalk, and Banyan Vines IP.
- ⇒ **Comprehensive Network Management** – After installation, AADS utilizes advanced network management tools to continuously monitor the backbone network and the router (SNMP manageable) and coordinates maintenance and repair. The NOC is alerted to potentially detrimental conditions in the network and often resolves them before customer service is affected. Ameritech provides around-the-clock telephone support for hardware, software and configuration problems. In cases of faulty equipment, Ameritech will provide same-day replacement parts and dispatch a technician to perform on-site maintenance with a four hour response time.

FEATURES

BENEFITS

One Source & Single Point of Contact

Reduce finger pointing, realize on-time installation resulting in better use of IS staff
On-going activity is handled through one contact

Professional Services & Network Integration

Ameritech keeps current on emerging technologies to provide a state-of-the-art, standards compliant network - enabling customers to focus on core business objectives

On-Going Software Configuration

Simplifies daily operations for the network manager

Monthly Pricing & One Bill

Receive one bill for the network service, customer equipment and network management & maintenance. No capital investment is required to install and maintain a broadband network

**AMERITECH MANAGED ROUTER SERVICE FOR
AMERITECH FRAME RELAY, SMDS AND ATM PRODUCT PROFILE**

Product Specifications

<i>Installation Guarantee</i>	Ameritech will provide the customer with a guaranteed installation date and provide a prorated refund of the installation charge if the date is missed by Ameritech
<i>Ongoing Software Configuration</i>	Router configuration changes - including addressing, protocol changes, software upgrades, filtering/prioritization features - are implemented within 3 business days of receiving all required information from the customer (unless reengineering, design review or acceptance testing is required)
<i>Standard Protocol Support</i>	Basic protocols supported include: IP, IPX, Appletalk, DECnet, Vines IP, and OSI, XNS and source route bridging
<i>24 x 7 Router/FRAD Monitoring</i>	The Network Operations Center (NOC) provides 7 X 24 in-band SNMP monitoring of Routers and FRADs
<i>Problem Resolution & On-Site Service</i>	The NOC and field technicians will work together to solve router and network problems identified by the NOC/customer and ensure timely customer notification. When necessary, on-site service coverage is provided 24 hours per day, 7 days per week, including holidays with guaranteed 4 hour response time. Same business day replacement parts is provided if trouble is received before 3:00 pm EST
<i>Ameritech Network Performance Reports</i>	Frame Relay performance data will be provided regarding circuit (UNI) utilization, errored frames, and interface errors. Raw data is analyzed to provide meaningful data to the network manager. Reports will be available in color, graphical format. PVC Utilization reports are available as an additional item.

**AMERITECH MANAGED ROUTER SERVICE FOR
AMERITECH FRAME RELAY, SMDS AND ATM PRODUCT PROFILE**

Future Product Enhancements

As technology changes, Ameritech will offer enhanced services to continually optimize the operation and management of the customers fast-packet network